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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

10/660,065

Filing Date

September 8, 2003

First Named Inventor

Hildreth

Art Unit

1764

Examiner Name

Thuan D. Dang

Attorney Docket Number

1094-32

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

Response to Official Communication
dated 7-20-2006

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

DILWORTH & BARRESE, LLP

Signature

Printed name

Adrian T. Calderone

Date

August 2, 2006

Reg. No.

31,746

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Date

August 2, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Attorney Docket: 1094-32

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Hildreth et al.

GROUP: 1764

SERIAL NO.: 10/660,065

EXAMINER: Thuan D. Dang

FILED: September 8, 2003

FOR: PROCESS FOR THE PRODUCTION OF ETHYLBENZENE FROM DILUTE
ETHYLENE STREAMS

Dated: August 2, 2006

Mail Stop: Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

RESPONSE TO OFFICIAL COMMUNICATION

Sir:

This is in response to the Official Communication dated July 20, 2006 stating that Applicants' previously submitted Amendment (dated May 9, 2006) was not fully responsive. The reason given for this determination was because of the following omissions:

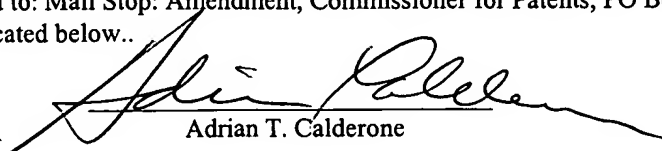
(1) why new claims 19-23 (classified in class 585/323) meet the requirement of the original restriction (claims 1-18) in the previous Office Action, and

(2) why new claims are patentable over the prior art.

Certification under 37 C.F.R. §1.8

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Dated: August 2, 2006


Adrian T. Calderone

It is respectfully submitted that said Amendment is fully responsive. Reconsideration of the refusal to enter the Amendment is respectfully requested.

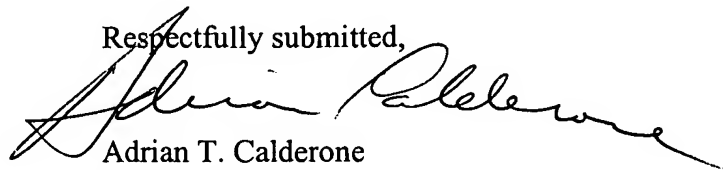
Pursuant to MPEP 821.03, claims added by amendment to an unelected invention following an Office Action should be treated as indicated by 37 CFR 1.145, which states:

If, after an office action on an application, the applicant presents claims directed to an invention distinct from and independent of the invention previously claimed, the applicant will be required to restrict the claims to the invention previously claimed if the amendment is entered, subject to reconsideration and review as provided in §§ 1.143 and 1.144

MPEP 821.03 provides that the Examiner may withdraw newly submitted claims directed to an invention which is independent and distinct from an invention constructively elected by original presentation for prosecution on the merits. However, *a complete action on all claims to the elected invention should be given.*

Therefore, Applicants should not be required to cancel any claims prior to entry of the Amendment, which is fully responsive to the previous Office Action. Accordingly, Applicants respectfully request that an Office Action on the merits be issued.

Respectfully submitted,



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